

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CLYDE RAY SPENCER, MATTHEW RAY )  
SPENCER and KATHRYN E. TETZ, )  
 )  
Plaintiffs, )

vs. )

No. 11-cv-05424-BHS

)  
FORMER DEPUTY PROSECUTING )  
ATTORNEY FOR CLARK COUNTY JAMES )  
M. PETERS, DETECTIVE SHARON )  
KRAUSE and SERGEANT MICHAEL )  
DAVIDSON, )  
 )  
Defendants. )

VIDEOCONFERENCE DEPOSITION UPON ORAL EXAMINATION  
OF

SHIRLEY JEAN SPENCER

DATE TAKEN: December 6, 2012  
TIME: 9:00 a.m.  
PLACE: 613 W. 11th Street  
Vancouver, Washington

COURT REPORTER: Teresa L. Rider, CRR, RPR, CCR

EXHIBIT

A

Rider & Associates, Inc.

360.693.4111

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1 SHIRLEY JEAN SPENCER,  
2 called as a witness in behalf of the Plaintiffs, having  
3 been duly sworn, was examined and testified as follows:

4 (Deposition Exhibit A was marked for  
5 identification.)  
6

7 EXAMINATION

8 BY MS. ZELLNER:

9 Q. Please state your full name for the record,  
10 including any middle name, and spell your last name.

11 A. Shirley Jean Spencer, S-p-e-n-c-e-r.

12 MS. ZELLNER: Let the record reflect this is  
13 the deposition of Shirley Jean Spencer taken pursuant to  
14 subpoena and proper notice to all of the parties.

15 BY MS. ZELLNER:

16 Q. I know that you've testified before under oath,  
17 but I want to go over a few of the rules so that we can  
18 make this go as smoothly as possible.

19 I need for you to make all of your answers  
20 audible, so shaking your head or saying ha, or whatever,  
21 or um, will not work. So do you understand that?

22 A. I understand.

23 Q. Try to let me ask the question before you give  
24 your answer so that we're not cutting each other off.  
25 Do you understand that?

1 condition?

2 A. They probably weren't real clean and their  
3 clothes were worn, and that was about it. They didn't  
4 want to come.

5 Q. And how did you learn that they didn't want to  
6 come? We're talking about the summer of 1984.

7 A. Ray and his ex-wife, DeAnne, were talking on  
8 the phone a lot. She said the kids didn't want to come  
9 up. And he was telling me that they didn't want to come  
10 up. And he said that she was trying to turn his kids  
11 against him.

12 Q. Do you remember any more information he gave  
13 you about his conclusion she was trying to turn the kids  
14 against him? Did he have any specifics?

15 A. No, I can't think of any at the moment.

16 Q. Then when the children arrived, how did they  
17 respond to you?

18 A. Just fine. We got along really well. They're  
19 good kids.

20 Q. I'm assuming that you probably did get along  
21 very well with children. Would that be a fair  
22 statement?

23 A. Yes. I do get along good with children.

24 Q. So with Katie, in particular, that summer of  
25 1984, how would you describe her? Was she shy? Was she

1 outgoing? Just give me some words to describe her at  
2 that point.

3 A. She was a very outgoing little girl.

4 Q. Was she affectionate with you?

5 A. Yeah, she was a little girl that liked to be  
6 hugged.

7 Q. And did she -- what did she call you when she  
8 addressed you? Did she call you by your first name or  
9 what did she call you?

10 A. Well, I can't even remember. I think she  
11 called me Shirley or Mama Shirley. It's so long ago,  
12 ma'am, I can't remember for sure.

13 Q. Okay. And I know some of these -- some things  
14 people remember, and I'm sure there's a lot of things  
15 you won't remember. It's a long time ago.

16 And then with Matt, do you remember what he  
17 called you? Did he call you mom or did he call you --

18 A. It was probably the same. I don't remember for  
19 sure.

20 Q. Okay. And then how would you describe Matt at  
21 that point in 1984?

22 A. Reserved, shy, angry acting. He was not real  
23 receptive of coming up or being there, whatever. I  
24 mean, I don't know if this is his usual, you know,  
25 demeanor, but that's how he was acting.

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1 Q. Did he eventually warm up to you or not?

2 A. Yeah, kind of. Not, you know, not a lot.

3 Q. And then you also had your son, Matthew Hansen;  
4 is that right?

5 A. Yes, ma'am.

6 Q. And how old was Matt in 1984?

7 A. In '84 he would have been four.

8 Q. Was his birthday February 20th?

9 A. Yes, ma'am.

10 Q. And how did your son -- I know in this case  
11 people referred to him as Little Matt and they referred  
12 to the older Matt as being Matt, so I'll probably do  
13 that.

14 A. That's what we did.

15 Q. Yeah. And how did Little Matt get along with  
16 Ray's children?

17 A. Very well. He called them his friends.

18 Q. And we're just, again, focused on that summer.  
19 How did Ray -- how would you describe, in general - and  
20 we'll get more specific as we go - but how did Ray treat  
21 your son? Did he treat them like his own son or was  
22 there a difference?

23 A. He was very, very strict with him. I was  
24 probably a little more lenient and he was very strict.

25 Q. Do you think, as of the summer of 1984, that

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1 that.

2 MR. DUNN: We have copies of these in our  
3 files.

4 MR. BOGDANOVICH: In the meantime, I brought a  
5 set that we can probably try to work from so that we  
6 don't have to wait. Let's get the fax going, and then  
7 we'll resume.

8 MS. FETTERLY: The fax is 360-357-5761.

9 MR. BOGDANOVICH: Ms. Zellner, until we get the  
10 documents the way you've grouped them, I think we're all  
11 familiar with the way they were paginated as 1 of 8 or  
12 22 of 22. If you go into the groups, if you can just  
13 kind of try to identify them by subject and how many  
14 pages, we can probably figure out how to follow along.

15 MS. ZELLNER: Sure. The entire packet I want  
16 marked as group Exhibit A, and then there are various  
17 tabs to group Exhibit A.

18 BY MS. ZELLNER:

19 Q. But I want to start, Ms. Spencer, with your  
20 handwritten letter. You do have that?

21 A. I have it.

22 Q. So what I'd like to do is -- because it is  
23 handwritten, have you read it out loud. We'll go two or  
24 three sentences at a time and then stop and let me ask  
25 you any questions, then we'll go a little bit further.

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1 We'll just work our way through it slowly because it's  
2 an important document in the case.

3 So tell me the circumstances under which you  
4 decided to write a letter.

5 A. Kathryn Spencer wanted me to do sexual favors  
6 for her and she wanted to do sexual favors to me. And  
7 it was on an evening of watching a video movie with her  
8 and Big Matt and Little Matt. Her dad was gone.

9 Q. How long -- and you said that the visit lasted  
10 six weeks. How far into the visit do you think that  
11 was? And was it a week or two or three weeks?

12 A. It was just two days before she went home, so  
13 it was the end of the sixth week.

14 Q. And up to the point of this event that happens  
15 on -- and I believe it's August 24th, 1984, had Kathryn  
16 done anything that seemed of a sexual nature to you up  
17 to that point?

18 A. No, ma'am.

19 Q. Did you notice any behavior on her part that  
20 you would characterize as being sexual in nature?

21 A. She seemed to be a very sexual little girl for  
22 a five-year-old. Always want to go sit on men's lap and  
23 hanging on him and hugging on him and wanting to kiss on  
24 him and stuff, just kind of unusual for me. I've never  
25 seen that before.

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1 Q. And is that -- did you notice that fairly soon  
2 after she arrived?

3 A. Yeah, pretty much the whole time she was there,  
4 yes.

5 Q. And which men did you see Kathryn act that way  
6 around?

7 A. Her dad, my sons, friends of Ray's that would  
8 come over.

9 Q. Anybody else?

10 A. I can't think of anybody. It really didn't  
11 happen with women, except, you know, she liked to be  
12 hugged.

13 Q. So leading up to this evening on Friday, August  
14 24th, you'd made those observations about her.

15 Let's just start out, if you could read into  
16 the record, your words. Let's go like three sentences  
17 and then I can ask questions.

18 A. Friday, August 24th, 1984, about 9:00 p.m. The  
19 kids all wanted to sleep on the floor in the living  
20 room, front room and watch a videotape as they had the  
21 night before.

22 Q. Okay. And let me ask you, up until this  
23 evening, it sounds like you had done this before with  
24 them where you lie on the floor and you watch a video,  
25 right?



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1 A. You know, I honestly can't recall of how many  
2 times that was or would have been. I know for sure two,  
3 you know.

4 Q. And the other time that that happened, I'm  
5 assuming that there was no sexual activity or attempts  
6 on Kathryn's part --

7 A. No.

8 Q. -- is that right?

9 A. That's right.

10 Q. Okay. So continue on. While they were  
11 watching --

12 A. While they were watching the cartoon, I took a  
13 shower. When I finished, I put on a movie and Kathryn  
14 and Big Matt asked me to lay between them on the floor  
15 while they watched the movie. Ray was at work.

16 Q. When you did lie on the floor between them, how  
17 were you dressed at that point?

18 A. I would have had my pajamas and bathrobe on.

19 Q. Okay. So continue from there.

20 A. Around 10:00 or 10:30, the boys fell asleep.  
21 Kathryn asked me if she could rub my tummy, which was  
22 normal for we all rubbed each others backs, legs, feet  
23 and tummies, et cetera. Sometimes it was a whole family  
24 project.

25 Q. Tell me a little bit more about that. Tell me

1 the circumstances under which that was happening. Was  
2 that in the evening or was that -- explain that to me.

3 A. Anytime the kids were, you know, might want to  
4 go to bed or were going to bed, you know, they liked  
5 their backs and their tummies or their legs and feet  
6 rubbed, still kind of a practice we do today.

7 Q. And that was something that you and Mr. Spencer  
8 did to the children. They also did that to you?

9 A. Yes, ma'am.

10 Q. If you want to continue.

11 A. While she rubbed my tummy, she slid her hand up  
12 and tried to expose my top a few times and I said,  
13 Kathryn, and then she paid close attention -- then I  
14 paid close attention. She would put her arm across my  
15 chest and then try to move my robe and feel my breasts  
16 and sneak to see if Big Matt was watching.

17 Q. Okay. So just so I can visualize that a little  
18 bit better, when you say she put her arm across your  
19 chest, so she's reaching -- you've got on your bathrobe  
20 and under your pajamas; is that right?

21 A. Yes, ma'am.

22 Q. And she reaches across you at some point?

23 A. Yeah.

24 Q. Is she trying to undo your robe?

25 A. No, she was like reach across and hug me, like

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1 (indicating). You're laying beside somebody and you  
2 throw your arm across their chest, that way, like a hug.

3 Q. All right. And then you say she tries to move  
4 your robe and feel your breast. What do you  
5 specifically remember her doing, like, how did she try  
6 to remove your robe?

7 A. She kind of pushed up under and moving it apart  
8 up under my pajamas, because she was -- move your hand  
9 down, trying to move it. I don't know how to explain  
10 it, other than that.

11 Q. So she does that and then you see her look over  
12 at Pat. Was Matt asleep, Big Matt, was he asleep?

13 A. Yes, ma'am.

14 Q. Okay. So let's continue on, then.

15 A. Then she tried to slide her hand back to my  
16 tummy -- or let's see. She slid her hand back to my  
17 tummy, and all of a sudden she slid her hand down to my  
18 front. Startled, I said, Kathryn. And she jerked her  
19 hand away.

20 Q. So kind of describe, just with a little more  
21 detail, kind of describe that movement that she makes so  
22 that we can understand.

23 A. Well, rubbing my tummy and she tries to put her  
24 hand down my front real quick.

25 Q. Okay. And when you say she tried to put her

1 hand down your front, you still have your pajamas and  
2 your robe on, right?

3 A. Yes, ma'am.

4 Q. And how far down does she extend her hand?

5 A. She just barely got, you know, under my pajama  
6 waist.

7 Q. Okay. So she actually put her hand inside the  
8 robe and under your pajamas --

9 A. Yes.

10 Q. -- is that right, that's what she did?

11 A. Yes.

12 Q. Okay. So if you could please continue.

13 A. She jerked her hand away. She said, Mommy, can  
14 I rub your pee pee. I said, no, Kathryn. She said, can  
15 I rub -- yeah, can I rub your pee pee, and when I'm  
16 done, will you rub my pee pee. And she said, it feels  
17 good. Can I?

18 Q. So let's talk about that comment on her part.  
19 So you remember that she -- at that point she called you  
20 mommy, right?

21 A. Yes. Yes, she did.

22 Q. And does she use the term pee pee?

23 A. Yes, ma'am, she did.

24 Q. And had you ever heard her use that term  
25 before?

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1 A. I don't know. I couldn't tell you that. I  
2 can't remember.

3 Q. But you're sure that -- you're sure that she  
4 used that word pee pee?

5 A. Yes, ma'am.

6 Q. Okay. And then she asked you if she could rub  
7 your pee pee and when I'm done will you rub my pee pee.  
8 She said, it feels good. Can I? Now, was she speaking  
9 in complete sentences when she said that to you or was  
10 she gesturing? I'm just trying to get a sense of her  
11 level of expression.

12 A. I think she was saying it in complete  
13 sentences. I don't know, ma'am. It's so long ago, I  
14 can't remember exactly. I don't remember exactly what  
15 she said and did.

16 Q. Okay. And was this the only occasion in your  
17 life, other than with your son, Matt Hansen, that any  
18 child had reported sexual abuse to you? Had you ever  
19 been in that situation before?

20 A. Other than what happened to me, no, never been  
21 in that situation with my older children, ever.

22 Q. And did this -- what she was doing, did it  
23 remind you of anything that had happened to you as a  
24 child?

25 A. Actually not. It just shocked me.

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1 Q. Now, let's continue on. It says you say, no,  
2 right? I said, No.

3 A. Yes. You want me to read?

4 Q. Right. Karen is Karen Stone, though, right?

5 A. Yes, ma'am.

6 Q. Okay. Yeah, if you could continue on.

7 A. She said, Karen let me rub her pee pee. And I  
8 said, no. I will rub your back and your tummy, not your  
9 pee pee. She kept insisting she wanted me to do this  
10 for it felt so good.

11 Q. How do you know that pee pee, in what she's  
12 telling you, how do you know that that refers to her  
13 genitals? How do you know that that's what she means?

14 A. Well, I don't know what else it would mean.

15 Q. But does she point at her -- does she point in  
16 the area where she wants you to rub or did she just use  
17 that term?

18 A. She just tried to push my hand there.

19 Q. And where does she push your hand to?

20 A. She got, you know, just below tummy level,  
21 that's it, before I jerked my hand away.

22 Q. So am I correct, though, that she doesn't --  
23 she doesn't put your hand on her genitals, right?

24 A. No.

25 Q. And other than saying that she wants you to rub

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1 her pee pee and pushing your hand down below her tummy,  
2 does she do anything else that would indicate that she  
3 wants some type of sexual contact with you?

4 A. Other than that, that's it.

5 Q. I'm just trying to see if there's anything else  
6 that you remember. All right?

7 So if we start in where she again said, Karen  
8 and my mommy, do you see that?

9 A. Okay.

10 Q. Would you read those three sentences?

11 A. Again or after that, after my mommy?

12 Q. Just start reading where you left off.

13 A. And my mommy let me rub their titties and their  
14 pee pee. At that I started questioning her about Karen  
15 and her mommy, and then she told me her daddy was always  
16 hurting her and Karen was -- oh, no -- my dad was away  
17 hunting and Karen was laying on the bed with Kathryn.  
18 Karen had Kathryn untie her robe and rub her tummy then  
19 her breasts then she let her rub her pee pee.

20 Q. Okay. And again, this is referring to Karen  
21 Stone; is that right?

22 A. Yes, ma'am.

23 Q. Now, when Kathryn told you about this sexual  
24 activity between herself and Karen, did you believe her?

25 A. I didn't know what to think. I was shocked. I

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1 was upset, yeah. I wasn't sure what was going on. No  
2 reason --

3 Q. Did she seem like she was telling the truth  
4 about Karen Stone?

5 A. I, you know, can't tell you.

6 Q. During those six weeks that you were with her  
7 in 1984, did you ever catch her in any type of lie about  
8 anything?

9 A. No.

10 Q. Did she ever make up stories in your presence  
11 that you found out later were not true?

12 A. None that I know of.

13 Q. So after she tells you about Karen Stone, what  
14 happens after that?

15 A. You want me to read some more?

16 Q. Yeah.

17 A. I asked her then what she said, Karen once  
18 rubbed her pee pee.

19 Q. Tell me what kind of questions were you asking  
20 her to get her to open up to you and talk.

21 A. Just what I have written here, nothing else.

22 Q. Okay. Well, it just says that you asked  
23 questions, but I wondered if you remember how you got  
24 her to open up and talk about Karen Stone.

25 A. She's the one that --



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1 Q. Did you ask her -- I'm sorry. I cut you off.  
2 Go ahead.

3 A. No. She just volunteered that information. I  
4 didn't ask her that.

5 Q. As you sit here today, do you think that Karen  
6 Stone molested Kathryn Spencer?

7 A. I had no idea. I wasn't sure who did what,  
8 just from what Kathryn told me. That's all I knew. I  
9 had never been involved in this kind of thing before, so  
10 it was new to me.

11 Q. And the letter was written up, was it not, at  
12 Ray Spencer's request?

13 A. Absolutely not.

14 Q. Tell me about that.

15 A. I called CPS or Child Protective Services and  
16 told them what she had said, and they asked me to write  
17 it down. I asked them if I should get some batteries  
18 and record it because I had a recorder, and they said,  
19 no, it wouldn't hold up, just to write it down and  
20 they'd have an officer pick up the paperwork. Ray  
21 wasn't even home.

22 Q. So you make the first call to Child Protective  
23 Services. Do you call the next morning after that  
24 episode with Kathryn?

25 A. Yes, ma'am.

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1 Q. And do you remember who you spoke to?

2 A. No, ma'am, I don't.

3 Q. But they advised you not to tape record, right,  
4 because it wouldn't hold up in court?

5 A. Yes, they told me to write it all down.

6 Q. Okay. And so when you had written it down,  
7 when you're actually writing it, is Ray Spencer home  
8 yet?

9 A. No, he's not.

10 Q. So you complete the entire document, what we've  
11 marked as the first tap in group Exhibit A, you complete  
12 that before he gets home, right?

13 A. Yes, ma'am.

14 Q. All right. Let's continue on.

15 A. Okay. I was just waiting on you to ask me.  
16 Sorry.

17 Q. Okay.

18 A. I asked Kathryn how many times did this happen  
19 and she said a few. I then asked her about her mommy,  
20 DeAnne. She said pretty much the same things, that they  
21 rubbed each others tummies, tops and pee pees.

22 Q. All right. And so now she's telling you about  
23 her mother doing that. And does she do that with  
24 questions from you? Do you say has anyone else touched  
25 you inappropriately or does she just volunteer DeAnne's

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1 name?

2 A. She volunteered her mommy. She didn't say  
3 DeAnne. She just said mommy.

4 Q. When she's talking, do you start making notes  
5 or how do you actually put the letter together the next  
6 day, just from memory?

7 A. Yes, ma'am, part of it.

8 Q. So then if you could start with where it says,  
9 I said was this only. Do you see that?

10 A. Yeah. Was this only when mama put medicine on  
11 your pee pee because it was sore? And she said, no.  
12 She rubbed it other times.

13 Q. Now, were you aware that Kathryn had a sore in  
14 the vaginal area?

15 A. Not the summer that she came to our house.  
16 That was -- I heard about that was the summer that Ray  
17 was living with Karen Stone.

18 Q. Okay. And when you put -- the reason that you  
19 put the description about putting medicine on is because  
20 you knew that information, right, that Kathryn had had  
21 the vaginal sore and medicine had been put on it?

22 A. Well, that and the fact that kids don't wipe  
23 good, sometimes they get sore.

24 Q. Okay. And then she said, no, correct?

25 A. She said, no.

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1 Do you want me to read more?

2 Q. Yeah. Yeah, let's go all the way to --

3 A. Pardon?

4 Q. Yeah, continue, please.

5 A. She rubbed it other times when it didn't need  
6 medicine. And again asked me if I would rub her pee  
7 pee. I said I would rub her back and her tummy, not her  
8 pee pee.

9 Q. Okay. Let's continue on.

10 A. She then said, daddy let's me rub his pee pee  
11 and he rubs my pee pee. That really tore me up. So I  
12 kept it light as we watched the videotape and tried to  
13 question her more. I asked her where the boys were when  
14 this happened and she said asleep.

15 Do you want me to go on?

16 Q. Yeah, let's stop at that point. When she says  
17 daddy, do you know at that point if she's referring to  
18 Ray Spencer or she's referring to someone back at her  
19 mother's home in Sacramento?

20 A. I only knew of Ray, her own dad. I didn't know  
21 that there was any person in Sacramento.

22 Q. And I ask that question because you said she  
23 was calling you mommy, right?

24 A. Yes.

25 Q. So did you think at that point that she was

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1 referring to Ray Spencer or you just didn't know at that  
2 point?

3 A. I thought she was referring to Ray Spencer. I  
4 didn't know of anybody else.

5 Q. Okay. Can you continue on?

6 A. I asked where the boys were when this happened  
7 and she said asleep. I asked her where I was and she  
8 said you were at work. I asked her how many times, one,  
9 two or three, and she said a whole bunch. She said  
10 daddy told her not to tell. I said, then, why are you  
11 telling me, Kathryn?

12 Q. Let's go a little bit further.

13 A. She said, I wanted you to know. I said, are  
14 you going to tell your mommy, DeAnne? And she said, no,  
15 she would never do that. I asked her why? She said  
16 mommy -- I asked her why, she said mommy would laugh at  
17 me. I asked her if she was going to tell anyone else,  
18 and she said no.

19 Q. Okay. So are you asking her if she is going to  
20 tell anyone?

21 A. Yes.

22 Q. And then she's telling you, no, that she isn't  
23 going to tell anybody, right?

24 A. Right. Do you want me to go on?

25 Q. Yeah.

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1 A. Ray came home from work and I didn't know what  
2 to do or say. I never came up against anything like  
3 this before. I was scared for Kathryn. Many things ran  
4 through my mind: What to do? What to say? How to say  
5 it? But I just couldn't do or say anything to him until  
6 I talked with Kathryn more.

7 The next day Ray left for work. I took the  
8 kids to the beach. While the boys swam, Kathryn laid on  
9 the blanket to keep warm and we talked some more. She  
10 said the same story about her mom and Karen and went  
11 into more detail about her dad and her big -- and Big  
12 Matt.

13 Q. Okay. So let me just stop you there because  
14 I'm trying to figure out in the sequence.

15 We know that this event with Kathryn occurs on  
16 Friday, August 24th. Is it on Saturday that you write  
17 this letter up or do you remember?

18 A. Yeah, I don't remember the day of the week. I  
19 just remember it was, like, the 24th. I don't remember  
20 the day of the week, though. I'm assuming it was a  
21 Saturday because I probably wouldn't have been able to  
22 take them to the beach. I'd have been working.

23 Q. And it appears that by Saturday that Ray is  
24 home; is that right?

25 A. I don't know that it was Saturday. It was the

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1 day after they left. He didn't come home until the day  
2 after they left.

3 Q. Because on that passage you read back up a  
4 paragraph, it says Ray came home from work and I didn't  
5 know what to do or say.

6 A. Right.

7 Q. I've never -- right, so I'm just trying to  
8 figure this out. Was Ray at work on Saturday and he  
9 came home?

10 A. He came home from work and then he left for a  
11 motorcycle convention in Seattle, I think it was, the  
12 next morning.

13 Q. Okay. So he's just you home for a short period  
14 of time. Is he home that night, that Friday night?

15 A. Just that night.

16 Q. So you have this conversation with Kathryn,  
17 then Ray comes home, but you don't say anything to him  
18 at that point; is that right?

19 A. That's right.

20 Q. And tell me, because Kathryn has named all  
21 these people, her mother, Karen Stone, Ray Spencer and  
22 Big Matt, tell me why you didn't say anything to Ray  
23 Spencer at that point?

24 A. I didn't know what to say or how to say it.  
25 The whole thing had me just upset and I didn't know what

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1 to do or say.

2 Q. And would it be a fair statement to say at that  
3 point you didn't really know whether Kathryn was telling  
4 you the truth or she just made all of this up?

5 A. I wouldn't have had a clue where it all came  
6 from. I wouldn't assume she would lie. I didn't know  
7 her to lie, but I just didn't have a clue where it all  
8 came from. It was such a shock.

9 Q. And you would agree that she's describing  
10 multiple abusers to you, right?

11 A. Yes, ma'am.

12 Q. And that's similar, I think, to what happened  
13 to you, right, not just one person, but there's multiple  
14 abusers?

15 A. That has nothing to do with me. But, yes.

16 Q. Well, wouldn't you be more sensitized to this  
17 issue, though, having been abused yourself?

18 MR. DUNN: I'm going to object to that type of  
19 questioning. You're asking for conclusions or opinions  
20 about matters that she's not qualified to give and  
21 doesn't -- it would require her to speculate. It would  
22 require her to speculate on matters that don't have  
23 anything to do with evidence.

24 MS. ZELLNER: Your objection is noted for the  
25 record. This is a federal deposition. And unless



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1 you're going to instruct her not to answer, I would ask  
2 you to answer my question over his objection.

3 MR. DUNN: You can go ahead and answer.

4 THE WITNESS: Would you repeat it, now, please?

5 BY MS. ZELLNER:

6 Q. Sure. Do you believe that this -- at this  
7 point when Kathryn was telling you these things about  
8 being sexually abused by multiple abusers, that you  
9 personally were very sensitive to this issue of abuse  
10 because of your history?

11 A. No, never entered my mind about me.

12 Q. Okay. All right. So let's continue on.

13 A. She said that Big Matt stuck his finger in her  
14 sometimes. I asked her about any other men or women and  
15 she said no, every time Big Matt came around she said,  
16 shush, Matt's coming. She said, you won't tell dad, and  
17 I said, no. And don't you say anything. She said dad  
18 told me not to say anything -- to tell you.

19 Q. Okay. And you're still at the beach when she's  
20 telling you all this information?

21 A. Yes, ma'am.

22 Q. And you hadn't written the letter yet, right?

23 A. No, ma'am.

24 Q. And Ray has come home, but he's left for his  
25 motorcycle conference.

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1 A. Yes, ma'am.

2 Q. So then what else does she tell you? Let's  
3 continue on.

4 A. Dad told me not to tell you and you tell me not  
5 to tell dad. I said that's a little different. She  
6 said, again -- she again asked me about why I wouldn't  
7 rub her pee pee. I couldn't make her feel dirty, so  
8 change the subject and she said -- let's see. I don't  
9 know where I'm at. Hang on.

10 Q. Sure. I think it says she said I rubbed you --

11 A. Yeah. I'm sorry. She said, yeah, I rubbed  
12 you. I said, Kathryn, you rubbed my tummy, not my pee  
13 pee. And you --

14 Q. I think it says you touched it mom told you no.

15 A. Yeah, you touched it and mom told you no. She  
16 said, I know, but can I, Mom, it feels good? I said,  
17 no, and started questioning her again.

18 And she said dad would lay on his back and she  
19 would lay on his tummy and they started out with dad --  
20 oh, man, I'm having a hard time, I'm sorry,  
21 concentrating here -- and in his robe and shorts and in  
22 her nightie and panties. And then she said she took off  
23 her panties and dad, that -- slid daddy's down and he  
24 put his pee pee between her legs. I asked her then,  
25 what I said --

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1 Q. Let's stop. There's a couple of things I want  
2 to ask you about.

3 A. Okay.

4 Q. You said when you began that last passage, it  
5 says she said I rubbed you. I said, Kathryn, you rubbed  
6 my tummy, not my pee pee. Am I reading that correctly?

7 A. That's right.

8 Q. So she's just said that you rubbed her and yet  
9 you know that that's not true. All that was rubbed was  
10 her tummy.

11 A. Was her tummy.

12 Q. So right there in that one sentence, she's  
13 telling you that you've also rubbed her and you're  
14 telling her, no, that wasn't my pee pee. Do you  
15 understand what I'm saying? She's actually  
16 misconstruing what went on between you and her at that  
17 point, because it specifically said, she said, I rubbed  
18 you. I said, Kathryn, you rubbed my tummy and not my  
19 pee pee. Do you see that?

20 A. Right.

21 Q. So you're correcting her when she says that she  
22 had actually rubbed you, right?

23 MR. DUNN: I'm going to object to the form of  
24 that question because it's argumentative and calls for  
25 conclusions.

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1 MR. BOGDANOVICH: I'll object.

2 MS. ZELLNER: Your objection is noted.

3 BY MS. ZELLNER:

4 Q. Did I read that correctly? Is it correct that  
5 you wrote down, not my pee pee, correct?

6 A. That's correct. She rubbed my tummy not my pee  
7 pee.

8 Q. But you corrected her, am I right?

9 MR. BOGDANOVICH: Object to the form of the  
10 question. It's argumentative and inaccurate.

11 BY MS. ZELLNER:

12 Q. You can answer over that objection.

13 A. I don't know how to answer it, other than to  
14 say she rubbed my tummy, not my pee pee. So I guess if  
15 that's a correction, that's a correction.

16 Q. All right. So then if we go down to where you  
17 left off, pick up where you left off.

18 A. Daddy put his pee pee between her legs. I  
19 asked her then what she said. He tried to put it in her  
20 little hole but it was too big. I said, didn't it hurt?  
21 And she said, yes. I said, then what did you do? And  
22 she said, I told daddy it was too big. And he said,  
23 what can I say, baby girl.

24 Q. Now, I'm assuming that you're trying to quote  
25 her directly, am I right?

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1 A. Yes, ma'am.

2 Q. And how long after you're on the beach do you  
3 write this letter?

4 A. As soon as we got home. So we were down there  
5 a couple of hours.

6 Q. So when you get home, you write the letter from  
7 your memory of what she told you on the beach and also  
8 at the house.

9 A. Yes, ma'am.

10 Q. And you would agree with me that the letter is  
11 fairly detailed, wouldn't you?

12 A. I think so. I tried to be accurate.

13 Q. And you tried to put in as much detail as you  
14 could, right?

15 A. I put in only what she told me.

16 Q. Okay. So let's continue on, if you'll keep  
17 reading.

18 A. She said, I don't know. I said, then what.  
19 She said to her -- he then kissed her pee pee and she  
20 kissed his and tried to or did put it in her mouth. I  
21 asked her if she ever got sore and she said yes. And I  
22 said, from what? And she said -- what's that word? --  
23 from -- and she said from rubbing it. I can't read my  
24 own writing.

25 Q. Please continue.

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1 A. I asked her if he said nice things to her and  
2 she said he kisses me and tells me he loves me and tells  
3 me I have a pretty bottom. I asked her if she liked  
4 this and she said, yes, and she loves her daddy. And  
5 does he do these things to me? And I said, that's  
6 different, Kathryn.

7 Q. And so your testimony is that what you've got  
8 written here is exactly what Kathryn Spencer told you at  
9 the beach, right?

10 A. Yes, ma'am.

11 Q. Okay. Let's continue. We've got about a  
12 paragraph to go.

13 A. Kathryn feels good about all this. She likes  
14 it and wants it more. And she said she wants to know  
15 what it feels like to do more. I don't know how to tell  
16 her that this wasn't right without making her feel bad  
17 or dirty.

18 I asked her if she was telling me stories and  
19 she said, no. I said, you wouldn't tell me lies? She  
20 said, no. You're not making it up? No. I asked her if  
21 she had -- she was afraid of me and she said, yes. And  
22 I said, why? I've never -- I have never spanked you.  
23 Are you afraid of that? And she said, well, my mommy,  
24 DeAnne, would spank me and send me to my room. I said,  
25 you know I wouldn't do that. She said, I know. And I

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1 said, then is this all so? And she said, yes.

2 I then got batteries, called Crises and asked  
3 them if I should tape this and they said it wouldn't do  
4 any good. It wouldn't hold up in court, so I didn't  
5 tape her.

6 Ray called and I told him then -- and then he  
7 took it to California Crisis when he got home.

8 Q. Go ahead.

9 A. I told him before he got home, when he called  
10 and asked me what was wrong.

11 Q. And you described everything that Kathryn had  
12 told you?

13 A. When he called home, I was upset and all I said  
14 was Kathryn accused you of molesting her. And he said,  
15 Is that all? Oh, well, I'll take care of that when I  
16 get home.

17 Q. Well, Kathryn actually had accused him of  
18 molesting her. She'd accused her mother, DeAnne  
19 Spencer, of molesting her. She'd accused Matt Spencer  
20 of molesting her and she had accused Karen Stone of  
21 molesting her, right?

22 A. Yes, ma'am.

23 Q. So did you tell Ray Spencer in that phone  
24 conversation that she'd accused all those other people  
25 of molesting her?

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1 A. I don't remember.

2 Q. Did you tell Ray Spencer that you had written a  
3 letter?

4 A. I don't remember what I said on the phone  
5 anymore.

6 Q. Okay. But I want to make sure that your  
7 testimony under oath is that Ray Spencer did not tell  
8 you to write up what Kathryn had said to him. Am I  
9 correct, he did not tell you that?

10 A. Absolutely not. He did not tell me that. CPS  
11 told me that.

12 Q. So when you reference CPS in that last sentence  
13 that you just read me, and it says, I then got  
14 batteries, called the crisis line because I didn't know  
15 what to do. I asked crisis line if I should tape  
16 Kathryn. She said it wouldn't do any good, wouldn't  
17 hold up in court, so I didn't tape her.

18 Would you agree with me that you don't document  
19 the fact that the Crisis worker told you to write up the  
20 allegations that Kathryn made?

21 A. I guess I didn't --

22 Q. I don't see it.

23 A. I guess I didn't document that, but they told  
24 me to write it up, write it down.

25 Q. Is there any reason you didn't write that down?



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1 Q. Okay. Did he tell you to take anything out of  
2 the letter?

3 A. No.

4 Q. Did he tell you to alter it in any way?

5 A. No.

6 Q. Did he tell you not to give the letter to  
7 authorities, to the law authorities?

8 A. No.

9 Q. So what do you remember about your conversation  
10 with Mr. Spencer when he came home?

11 A. What he said was it was DeAnne turning the kids  
12 against him or some guy that was probably living with  
13 her, but DeAnne has been trying to turn the kids against  
14 him and he thought that she probably set him up to say  
15 these things -- set them up to say these things.

16 Q. Did he then try to report these allegations to  
17 any law enforcement agency?

18 A. Yeah, he made phone calls. I think it was to  
19 Vancouver or Clark County, I don't even know, and  
20 Sacramento.

21 Q. Did he at any point tell you to keep these  
22 allegations quiet?

23 A. No.

24 Q. Did he at any point tell you when he gets home,  
25 I might lose my job. We've got to keep this quiet?

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1 A. He didn't say that when he first came home, no.

2 Q. And then he proceeds to actually report the  
3 allegations, which include his own abuse, to law  
4 enforcement, right?

5 A. I'm not sure I understood that question. Try  
6 that again.

7 Q. I think you've already answered it.

8 So when is the first time that you go to Clark  
9 County sheriff's office with Mr. Spencer?

10 A. When he had a polygraph test. That's the first  
11 time I remember.

12 Q. And he actually takes two polygraphs, correct?

13 A. I accompanied on both of those occasions.

14 MR. FREIMUND: Ms. Zellner, it sounds like  
15 you're getting into a new area. Would you mind taking a  
16 five-minute break here before we get into this new area?

17 MS. ZELLNER: Yeah, I think that's a good idea.  
18 Let's do that.

19 (Discussion off the record.)

20 BY MS. ZELLNER:

21 Q. So would you, Ms. Spencer, describe for the  
22 record what the handwritten statement is that you have  
23 in front of you, so we've got it on the record.

24 A. Well, it's the statement I wrote that Kathryn  
25 told me. Is that what you want?

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1 Q. Yes. And that's been labeled as Tab 1 of group  
2 Exhibit A.

3 Now, let's go back to where we were in our  
4 discussion. You said that you had accompanied Mr.  
5 Spencer to the Clark County sheriff's department for his  
6 two polygraphs; is that correct?

7 A. That's correct.

8 Q. Prior to that, going with Mr. Spencer to the  
9 Clark County sheriff's department, did an officer come  
10 to your home to interview you?

11 A. He came to our home and talked to Ray and I and  
12 picked up this letter.

13 Q. Okay. And then did you also have a telephone  
14 interview that was conducted by a Detective Flood from  
15 Sacramento?

16 A. Yes.

17 Q. In either of those interviews did you express  
18 the opinion that you believe that Ray Spencer was guilty  
19 of those allegations?

20 A. No, I believed in my husband at that time  
21 still.

22 Q. And had you, up until Katie's allegations, had  
23 you ever observed any behavior on Ray Spencer's part  
24 towards children that seemed abnormal to you?

25 A. The only thing that I ever really noticed that

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1 came into my mind was that he was affectionate with  
2 children. And like if we would be walking in the mall  
3 and he'd see a beautiful little child, he'd stop the  
4 woman and tell her how pretty her child was or things  
5 like that. And I thought, wow, and I didn't think  
6 anything abnormal about it, except that I've never seen  
7 a man do that.

8 Q. But other than that, was there anything else  
9 that you observed in Ray Spencer's interactions with  
10 children up until the point of Katie's statements?

11 A. No, ma'am.

12 Q. Now, when you go to the Clark County sheriff's  
13 department, do you recall the first time that you go  
14 there?

15 A. Do I recall the first time I was there?

16 Q. Yes.

17 A. You mean when I accompanied him for his  
18 polygraph?

19 Q. Right. My understanding is that's the first  
20 time you went to the Clark County sheriff's  
21 department --

22 A. Yes.

23 Q. -- about this case?

24 A. Yes.

25 Q. Who did you meet when you were at the sheriff's

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1 department?

2 A. We met Mike Davidson.

3 Q. Anyone else?

4 A. And Sharon Krause and I can't remember if Jim  
5 Hulse from Vancouver PD was there or not. I don't  
6 remember that.

7 Q. Do you remember in that first meeting at the  
8 sheriff's department, do you remember being upset about  
9 these allegations?

10 A. I was very upset.

11 Q. Do you remember crying?

12 A. I do.

13 Q. Do you remember feeling confused?

14 A. Yes. I think the word would be angry, too.

15 Q. And tell me why were you angry.

16 A. Because I loved my husband and I figured that  
17 they were trying to wreck our marriage or ruin his job,  
18 I guess. I still wasn't knowing what was true and what  
19 wasn't true, other than what I was told by Kathryn.

20 Q. And when you say that they were trying to wreck  
21 your marriage, could you be more specific about why you  
22 thought they were trying to wreck your marriage?

23 A. Because I thought because he was being hauled  
24 in there for all these depositions -- not depositions,  
25 but meetings, being hauled in there for the meeting and

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1 the polygraph and everything, because I loved my  
2 husband, I was pretty upset that we were even there,  
3 even though all this came down.

4 Q. And did your husband, was your observation that  
5 he was corroborating in that first meeting?

6 A. He seemed mad, angry.

7 Q. Was he cooperating, though, with the  
8 investigation?

9 A. I guess. I don't remember for sure, but I  
10 guess.

11 Q. Well, he agreed to take the polygraph, right?

12 A. Right.

13 Q. And so after he took the polygraph, did anyone  
14 tell you how he had done on that first polygraph?

15 A. I don't remember that anybody other than Ray  
16 told me. There was something about being inconclusive.  
17 I don't remember the department telling me that.

18 Q. Did you have any conversation with Officer  
19 Davidson that first time about Ray or about the case?

20 A. Well, we were in his office after the  
21 polygraph, and that's when I was so angry. I didn't  
22 even like Mr. Davidson at the time. I told him he was  
23 trying to ruin my marriage and my husband's job.

24 Q. And I'm just curious why you would be telling  
25 Detective Davidson that you thought he was trying to

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1 ruin your marriage.

2 A. I guess because -- I don't know. It's just I  
3 was angry. I was angry at him, and I loved my husband  
4 and I thought everything was going to be ruined because  
5 of all of this.

6 Q. And then after that first meeting, do you  
7 obtain any information about Kathryn's interview in  
8 Sacramento with Detective Flood?

9 A. I'm not sure I understand.

10 Q. Okay. Well, did you learn at some point right  
11 in that time frame - and we're in the August, September  
12 of 1984 - did you learn that when Kathryn was  
13 interviewed by Detective Flood, that she was not telling  
14 him about the allegations that you'd put in your letter?

15 A. I think I heard that later from Ray, but I  
16 don't remember hearing it from Detective Flood. If I  
17 did, I don't remember.

18 Q. And when you returned -- is your second trip to  
19 the Clark County sheriff's department for that second  
20 polygraph, and it's right at the end of September,  
21 around the 24th, do you remember that, going back?

22 A. I remember going back with Ray, yes.

23 Q. And had anything happened in your discussions  
24 with Ray up to that point that made you suspect that  
25 these allegations might be true, or did you still

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1 believe he was innocent?

2 A. I still believed he was innocent. I wanted to  
3 believe he was innocent. I loved my husband.

4 Q. Did anyone ever suggest that you be polygraphed  
5 on your conversation with Kathryn?

6 A. Not that I recall.

7 Q. After the second polygraph, do you learn what  
8 the result is of that polygraph?

9 A. I heard that it was supposed to be positive,  
10 but I don't recall who told me that. I don't remember  
11 if it was Ray or Mike Davidson when we were in his  
12 office together. I don't remember.

13 Q. How would you describe, in that second visit to  
14 the Clark County sheriff's office, how would you  
15 describe Mr. Spencer's interaction with Officer  
16 Davidson?

17 A. I don't think he liked him. I don't think he  
18 was, you know, he was -- I don't remember, hollering or  
19 cussing or what it was, he was angry. I was angry. I  
20 don't know. He thought that he was being railroaded or  
21 something.

22 Q. Did Officer Davidson make any statements in  
23 your presence that indicated he thought Mr. Spencer was  
24 guilty?

25 A. I wished I could remember that, but I'm not



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1 sure what his statements were at the time. I think I  
2 was so upset and so confused I don't remember.

3 Q. What was your reaction to learning that Mr.  
4 Spencer had supposedly flunked the polygraph?

5 A. Confusion, because my husband, I wanted to  
6 believe him. I loved him. He convinced me that it had  
7 to be somebody else. It wasn't him.

8 Q. Did your attitude about his innocence begin to  
9 change after you found out he didn't pass the polygraph  
10 the second time?

11 A. I don't think that my attitude changed. I was  
12 confused and angry and upset and didn't know what was  
13 going on, and he was, you know, just as stressed as I  
14 was. It was such a stressed time. I don't know. But  
15 my attitude hadn't really changed in the way that I  
16 thought he might be guilty at that time.

17 Q. Could you tell me, just in the whole sequence  
18 of events, what was the turning point for you in your  
19 opinion that he was guilty? What was the turning point?

20 A. I think it was when we found out about my son.

21 Q. So would you say up until that time, you still  
22 had doubts about whether he was guilty or not?

23 A. Yes.

24 Q. Okay. Now, at a certain point, Mr. Spencer  
25 checks himself into the Oregon Health Science

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1 University. Do you remember that?

2 A. I do.

3 Q. And are you still living at the house, Lucia  
4 Falls?

5 A. Yes, it was my home.

6 Q. Was that house titled in both your names or  
7 just your name?

8 A. I bought the house in September of 1977. All  
9 my kids lived there, all of them, and Matt was born  
10 there. I didn't even meet Ray Spencer until 1982,  
11 married him in 1983, lived with him in Orchards in his  
12 rental house.

13 He wouldn't live in that house until it was  
14 remodeled, because he said it was like living -- it was  
15 a little cabin. He said it was like living in an  
16 outhouse. So in order to remodel it, I had to do a  
17 quitclaim with him, put his name on the deed.

18 Q. Did he pay for the remodeling?

19 A. No.

20 Q. Did you pay for it exclusively?

21 A. Well, I was paying for it. He only lived in  
22 that house -- it took eight months to remodel it, so he  
23 only lived in that house between eight and ten months  
24 before he went to jail.

25 And my son -- I have lost, kind of --

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1 economy wasn't doing real good and I never could sell  
2 it. And I couldn't live there anymore, either.

3 Q. So what happened to the house, was it rented?

4 A. Huh-uh. My son and his friend lived in it  
5 while I had it listed for sale. And I couldn't sell it,  
6 so the realtor paid me \$5,000 and took it over.

7 Q. Now, you say that the house ended up being  
8 titled in both names. When you sold the house, how did  
9 you sell it without Mr. Spencer's signature or signing  
10 over his claim on the house?

11 MR. DUNN: I have to object, Counsel. It's  
12 assuming that's what happened, and it's not accurate.

13 MS. ZELLNER: Well, let's let her answer the  
14 question, and then we'll correct any inaccuracies.

15 BY MS. ZELLNER:

16 Q. How did you sell the house with his name on the  
17 title?

18 A. I didn't sell the house. I said the realtor  
19 took it over.

20 But what I did was I took a quitclaim deed down  
21 to the sheriff's office. Mrs. Krause gave it to Mr.  
22 Davidson to see if he could have Ray sign it. Ray  
23 refused to sign it at that time. And he did sign it,  
24 and I don't even remember why, how or when, but, I mean,  
25 I got the date, August 16th of -- was it '84, '85? --

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1 divorce?

2 A. Absolutely not. It's not true. I didn't make  
3 that statement.

4 Q. Okay. And that's simply what I'm going to do.  
5 We're just going to go through them. So that's not  
6 true.

7 How would you describe your relationship with  
8 Ray Spencer around November 15th of '84? Was it good?  
9 Was it bad? Was it on the rocks? What was it?

10 A. There was a lot of stress; probably on the  
11 rocks. I was still trying to make my marriage work and  
12 I think he was trying.

13 Q. And up to that point in time, had you discussed  
14 divorcing?

15 A. I don't remember discussing a divorce until the  
16 night he jumped out of bed and said he wanted a divorce  
17 and we got in a physical fight.

18 Q. Right. And that's later in February. But I  
19 just want to go through these earlier statements.

20 The next statement is a resident note in the  
21 medical records, Bates stamp 000294 Tab 2, and it says:  
22 The day of admission on 11-15-84, wife number 2 said  
23 that she's upset over the whole thing and cannot handle  
24 it anymore and wants out of the marriage.

25 Is that a true statement?

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1 A. I do remember one incident when he was out when  
2 we were downtown Portland and there was a lot of stress  
3 and confusion. I don't remember about the affairs at  
4 all at that time.

5 Q. And at that time were you, as of December 3rd,  
6 '84, were you suspicious that Ray had had extramarital  
7 affairs?

8 A. Yes, ma'am.

9 Q. And were you ever able to substantiate that he  
10 did, in fact, have extramarital affairs when you and he  
11 were married?

12 A. Yes, ma'am.

13 Q. And can you give me the names of the women that  
14 he had affairs with?

15 A. It's in one of the reports. I don't remember  
16 the names much anymore. There were people calling the  
17 house from the Vancouver Police Department, from  
18 prosecuting attorneys office. One of the gals from  
19 Vancouver Police Department called me. And they were  
20 both mad. They said they were going to file sexual  
21 harassment charges.

22 Q. Go ahead.

23 A. And there was a nurse from Vancouver Memorial  
24 Hospital emergency room and she told me Ray was her  
25 boyfriend. She was married and had kids, too. There

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1 was four or five women that I know of.

2 Q. Did you have any --

3 A. Go ahead --

4 Q. Do you have any idea when you got this  
5 information that he was having these affairs?

6 A. Well, I'd smell perfume on him, see white stuff  
7 down his trousers, stuff like that.

8 Q. Did that pre-date these allegations of  
9 Kathryn's?

10 A. Sure. It was when we were first married.

11 Q. Let's go to Tab 5, Bates stamp 001159 to  
12 001569. I want to ask you if you made this statement  
13 specifically. The entry in the medical records says:  
14 Ray was arrested, released in January of 1985. Not long  
15 after this, he and Shirley had an argument during which  
16 Shirley stated, "Wait until I get on that stand. I'll  
17 fix you. I'll make sure you go to prison." And this  
18 was reported in the medical records.

19 Is that a true statement? Did you say that?

20 MR. FREIMUND: Just for the record, can I  
21 interrupt? I think the note says it was from a  
22 declaration that Ray Spencer made, not medical records.

23 MS. ZELLNER: You're right. So that's correct,  
24 it's from Ray's declaration. I misspoke.

25 BY MS. ZELLNER:

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1 effect?

2 A. Not exactly, but I probably did.

3 Q. And is the reason you were angry with Mr.  
4 Spencer because you believed that he was having an  
5 extramarital affair?

6 A. When we were having that fight, yes.

7 Q. And had you ever done or inflicted any physical  
8 injuries on Mr. Spencer before this episode?

9 A. No.

10 Q. So this was the only time that you'd physically  
11 attacked him?

12 A. Yes, ma'am.

13 Q. And your sons were present for this incident.

14 A. They were.

15 Q. Now, let's go to -- did you at any point in  
16 time up to the allegations about your son, Matt Hansen,  
17 did you ever learn or were you told that Katie Spencer  
18 had had a medical exam?

19 A. I don't remember being told about a medical  
20 exam. I just remember talking to Sharon about them  
21 going down to interview her, but I don't remember  
22 anything about a medical exam for her.

23 Q. Did you visit between when you first went to  
24 the Clark County sheriff's office, did you make frequent  
25 visits to that office between that point and the first

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1 arrest of Mr. Spencer in January of 1985?

2 A. No, other than one time when Sharon called me  
3 down to talk to me about Kathryn. I was never -- I was  
4 there for the two polygraphs and then --

5 Q. Do you remember in that habeas action giving a  
6 deposition?

7 A. I'm not sure what you're asking me again.

8 Q. Did you testify under oath at a deposition on  
9 August 30th, 1996, in the Ray Spencer matter?

10 MR. DUNN: Excuse me, Counsel. What document  
11 are you referring to?

12 MS. ZELLNER: Tab 25. And it's Bates stamp --  
13 Tab 25, and it's from the habeas deposition transcript.  
14 It's page 18 --

15 MR. DUNN: What's the Bates number?

16 MS. ZELLNER: The Bates number is 2492. It's  
17 Tab 25.

18 MR. DUNN: My tabs aren't numbered, so I have  
19 to find it some other way.

20 MS. ZELLNER: If you've got the documents we  
21 sent you numbered in the right-hand corner. It's kind  
22 of small print.

23 MR. DUNN: Well, the Bates numbers are here,  
24 but they're not in any order so I can't find them.

25 MS. ZELLNER: I think they each have the tab



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1 visiting the sheriff's department on a more frequent  
2 basis?

3 A. No. Are you talking just visit to visit? No.

4 Q. Do you know why you said that you were down  
5 there constantly?

6 A. Felt like it.

7 Q. Okay. So it's not factually true, though,  
8 right?

9 A. Well, I guess not. I only remember certain  
10 times. I mean, I'm not sitting here telling you I was  
11 deliberately lying. It just felt like that.

12 Q. And I'm just reading statements that you've  
13 made trying to figure out if they're accurate or not, so  
14 that's why I'm asking you about that.

15 A. I understand.

16 Q. Okay. Let's go back to the sequence of events  
17 after your domestic disturbance.

18 Would you say after that event that your  
19 relationship with Ray Spencer deteriorated even further?

20 A. Well, there was so much stress going on, sure.  
21 You know, it's pretty hard to deal with all that stuff,  
22 so it was a real struggle in our marriage. But I still  
23 loved my husband. I still wanted my marriage to work.

24 Q. Between Ray's arrest in January and his --  
25 January 3rd and his later arrest in February, did you

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1 have any meetings with Sharon Krause and Mike Davidson  
2 that you recall?

3 A. The only one -- meetings that I recall with  
4 Mike Davidson were with Ray. The rest -- any other  
5 time, it would have been pretty much Sharon. She was  
6 the interviewer.

7 Q. So when you say -- you're talking about the  
8 polygraph examination meetings, right, where Davidson  
9 was present?

10 A. Right.

11 Q. And then at a certain point in time, does Ray  
12 move out of the Lucia Falls house?

13 A. Yes, but I can't remember the dates.

14 Q. Is it sometime after this second domestic  
15 disturbance?

16 A. Yes.

17 Q. Where does Ray go when he moves out of the  
18 house?

19 A. I guess he went to a hotel.

20 Q. Well, actually, do you remember, he went to the  
21 Salmon Creek Motel? Do you remember that name?

22 A. I remember the Salmon Creek. But I think he  
23 went somewhere before that and then the Salmon Creek  
24 Motel. I definitely remember the Salmon Creek one.

25 Q. Right. I think you're correct. He went to

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1 another hotel, then he went to Salmon Creek.

2 But when he gets to Salmon Creek, are you  
3 having conversations with him? Is he still calling you?

4 A. Yes, he's still calling me. We were still  
5 trying to work on our marriage. We still, you know,  
6 don't know definitely who did what with Kathryn, you  
7 know. He's still telling me he's innocent and we're  
8 trying to make our marriage work.

9 Q. I want to direct you to a declaration that Ray  
10 Spencer gave. It's Tab 5. And my purpose in doing that  
11 is just to read the statement to you that he made and  
12 ask you if that's a true statement. So if you want to  
13 look at the document, you can, or I can simply read it  
14 to you.

15 A. Go ahead.

16 MR. DUNN: We've got it here.

17 MS. ZELLNER: Sure.

18 BY MS. ZELLNER:

19 Q. Tab 5, Bates stamp 1162.

20 A. Okay.

21 Q. The specific statement is Ray Spencer claimed  
22 in that declaration that when he was at the Salmon Creek  
23 Motel, he'd asked you to spend the night with him a  
24 number of times.

25 Do you remember him ever asking that?

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1 Ray Spencer?

2 A. No, I did not, absolutely not. I'm still  
3 working on my marriage. Why would I say that? Excuse  
4 me. That's asking you.

5 Q. Now, at a certain point you take your son, Matt  
6 Hansen, to the Salmon Creek Motel; is that right?

7 A. That's right.

8 Q. And how old was your son at that point?

9 A. Four or five. Five, I think he turned five.

10 Q. Because his birthday is February 20th, right?

11 A. What was the date of the visit?

12 Q. February 16th.

13 A. Oh, that's before his birthday, then. Yeah, I  
14 did.

15 Q. And I'm curious why you would take your son to  
16 spend the night with Mr. Spencer when he's been arrested  
17 for child molestation.

18 A. Well, actually at that time we didn't know that  
19 he was guilty. We didn't know who was guilty or if they  
20 were guilty. I still believed in my husband. We didn't  
21 know about Matt or Big Matt. And we're still working on  
22 our marriage.

23 Q. So you took your four-year-old son to a motel  
24 and left him with Mr. Spencer; is that right?

25 A. Yes. We'd been shopping that day and then I